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**Attorneys for Defendant and Third-Party  
Plaintiff CITY COMMERCIAL  
INVESTMENTS, LLC**

[Additional counsel listed on signature page]

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MONICA CANILAO, an individual; ZARATHUSTRA WESOLOWSKI, an individual; ELLERY BAKAITIS, an individual; JEREMY NOVY, an individual; SUSAN GREENE, an individual; and HAILEY GAISER, an individual.

## Plaintiffs,

V.

CITY COMMERCIAL INVESTMENTS,  
LLC, a California limited liability company;  
and DOES 1-10, inclusive.

## Defendants

Case No. 3:20-cv-08030-EMC

Hon. Edward M. Chen

**STIPULATION AND  
[PROPOSED] ORDER TO  
EXTEND TRIAL DATE AND  
ALL PRETRIAL DATES AND  
DEADLINES BY TWO MONTHS**

**Trial Date: September 12, 2022**  
**Requested extension:**

November 14, 2022

## CITY COMMERCIAL INVESTMENTS.

1 LLC, a California limited liability company,

2 Third-Party Plaintiff,

3 v.

4 HANSDOME HEIDI, LLC, a California  
5 limited liability company; and ROES 1-10,  
inclusive,

6 Third-Party Defendants,

7 Pursuant to Local Rules 6-2 and 7-12 the parties to the above-entitled action  
8 jointly submit this stipulation requesting the Court extend the trial date, the final pre-  
9 trial conference date, and all pretrial dates and deadlines by two months considering  
10 defendant's filing on April 1, 2022, of a potentially case dispositive motion to dismiss  
11 and motion for judgment on the pleadings (the "Motion"), and in order to allow the  
12 parties to address the Motion, determine and fully address settlement possibilities, and  
13 prepare the case for trial. The trial is currently set for September 12, 2022. The parties  
14 request the trial be continued to November 14, 2022, and that all pending pretrial  
15 dates and deadlines likewise be continued by two months.

16 The parties are plaintiffs Monica Canilao, Zarathustra Wesolowski, Ellery  
17 Bakaitis, Jeremy Novy, Susan Greene, and Hailey Gaiser (collectively, "Plaintiffs");  
18 defendant and third-party plaintiff City Commercial Investments, LLC ("Defendant");  
19 and third-party defendant Handsome Heidi, LLC ("Third-Party Defendant").  
20 Plaintiffs, Defendant, and Third-Party Defendant are collectively referenced as the  
21 "parties." The parties submit the accompanying declaration of David Erikson in  
22 support of this requested extension.

23 The parties participated in a mediation before Ninth Circuit mediator Bijal  
24 Vakil, Esq. on October 28, 2021. The mediation did not resolve the matter. The  
25 parties continued their settlement efforts and held a follow up conference call with  
26 mediator Vakil. On March 2, 2022, the parties jointly requested a four-week  
27 continuance of the discovery cutoff only and no other dates and deadlines to permit  
28

1 the parties to fully address settlement before undertaking costly and extensive  
2 discovery including ten depositions. The Court granted the parties' request and  
3 continued the discovery cutoff from March 10, 2022, to April 11, 2022.

4 The parties have participated in written discovery and have noticed ten (10)  
5 depositions of all parties to be taken by the current discovery cutoff of April 11, 2022.  
6 The parties also exchanged settlement offers but are at an impasse. However, the  
7 parties believe that a ruling on Defendant's dispositive Motion may streamline the  
8 issues that need to be covered in depositions. Likewise, a ruling on Defendant's  
9 Motion may help guide the parties closer towards productive settlement discussions.  
10 Other than the March 2, 2022, limited-purpose discovery cutoff extension, the parties  
11 have not previously requested any pretrial extensions. Trial is scheduled in this matter  
12 for September 12, 2022.

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1 DATED: April 4, 2022

ERIKSON LAW GROUP

2 By: /s/ David Erikson

3 David A. Erikson

4 Attorneys for Plaintiffs

5 DATED: April 4, 2022

6 LAW OFFICES OF LAWRENCE G.  
7 TOWNSEND

8 By: /s/ Lawrence G. Townsend

9 Lawrence G. Townsend

10 Attorneys for Defendant and Third-Party  
11 Plaintiff City Commercial Investments, LLC

12 SPINELLI, DONALD, & NOTT

13 J. Scott Donald

14 Attorneys for Defendant and Third-Party  
15 Plaintiff City Commercial Investments, LLC

16 DATED: April 4, 2022

COOLEY LLP

17 By: /s/ Max A. Bernstein

18 Max A. Bernstein

19 Attorneys for Third-Party Defendant  
20 Handsome Heidi, LLC

Additional counsel [continued from caption]

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16     Attorneys for Third-Party Defendant  
17     HANDSOME HEIDI LLC

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## Filer's Attestation

Pursuant to L.R. 5-1(i)(3), I attest that all signatories listed and on whose behalf this filing is submitted concur in the filing's content and have authorized this filing.

DATED: April 4, 2022

ERIKSON LAW GROUP

By: /s/ David Erikson

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David A. Erikson

## Attorneys for Plaintiffs

## ORDER

NOW, THEREFORE, and based on the above recitals and stipulations, and for good cause the Court orders as follows:

All pretrial dates and deadlines in this matter are extended by two months to include the following:

The deadline by which the parties must complete non-expert discovery is extended from April 11, 2022, to and including June 13, 2022.

The Further Status Conference set for this matter on May 31, 2022, is continued to August 2, 2022.

The Final Pre-Trial Conference set for this matter on August 16, 2022, is continued to October 18, 2022.

The Trial set for this matter on September 12, 2022, is continued to November 14, 2022.

## IT IS SO ORDERED.

Dated: \_\_\_\_\_, 2022

Hon. Edward M. Chen  
United States District Judge